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09/730,653	12/05/2000	Bill Thomas	10002479-1	9279

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EXAMINER

TRUONG, CAMQUY

ART UNIT

PAPER NUMBER

2195

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/730,653

Applicant(s)

THOMAS ET AL.

Examiner

Camquy Truong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. Claims 1-20 are presented for examination.
2. It is noted that although the present application does contain line numbers in the specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the examiner and Applicant all future correspondence should include the recommended line numbering.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
5. Claims 1-20 are rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
  - A. The claim language in the following claims is not clearly understood:
    - i. As to claim 1, line 5, it is not clearly indicated whether "specified requestor" refers to " specified requestor" in lines 3-4; line 7, it is not clearly understand whether " related watermark event" refers to " related

watermark event" in line 5; line 10, it is not clearly understand whether "related watermark event" refers to "related watermark event" in line 5.

iv. As to claims 17-20, lines 1-2, it is not clearly indicated whether "watermark event" refers to "watermark event" in claim 14

(line 5).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claim 1-20 are rejected under 35 U.S.C. 102 (a) as being anticipated by Lachelt et al. (U.S. Patent 6,148,338).

7. Lachelt was cited in the first office action.

8. As to claims 1 and 14-15, Lachelt teaches the invention as claimed including a method for reporting events stored in an event log within an electronic device (col. 1, lines 26-28), the method comprising:

receiving a request for a report of events of a specified type from a specified requester (col. 7, lines 16-20);

searching for a watermark event related to the specified event type and specified requestor (col. 7, lines 9-12);

when a related watermark event is found, using a value stored within the watermark to select an event at which to begin searching the event log for events of the specified type to report to the specified requester (col. 7, lines 12-26 and lines 20-27; col. 9, lines 4-6);

when a related watermark event is not found, selecting a default event at which to begin searching the event log for events of the specified type to report to the specified requester (col. 8, line 55 – col. 9, line 2); and

searching the event log starting at the selected event to find and report events of the specified type (col. 5, lines 16-18).

9. As to claim 2, Lachelt teaches searching for a watermark event related to the specified event type and specified requestor further includes:

selecting an event most recently logged in the event log as a first event (col. 9, lines 21-30);

starting with the selected first event and preceding sequentially towards the least recently logged event, sequentially selecting each event as a candidate event (col. 9, lines 21-30);

when the selected candidate event is a watermark event with an event type field containing an indication of the specified event type and a requester field containing an indication of the specified requester, returning the selected candidate watermark event as a positive search result (col. 9, lines 57-64); and

when the least recently logged event has been selected, and is not a watermark event with an event type field containing an indication of the specified event type and a requestor field containing an indication of the specified requestor, returning a negative search result (col. 9, lines 35-56).

10. As to claims 3-4, Lachelt teaches the value stored within the watermark used to select an event at which to begin searching the event log for events of the specified type to report to the specified requester is a relative offset from the watermark to the selected event at which to begin searching the event log (col. 9, lines 19-20).

11. As to claim 5, Lachelt teaches the value stored within the watermark used to select an event at which to begin searching the event log for events of the specified type to report to the specified requester is an address of the selected event (col. 7, lines 20-23).

12. As to claim 6, Lachelt teaches the default event at which to begin searching the event log for events is the first event in the event log (col. 8, line 55 – col. 9, line 2).

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13. As to claim 7, Lachelt teaches searching the event log at the selected event to find and report events of the specified type further includes examining each event in the event log, starting at the selected event, until either a specified number of events of the specified type are found or until all events in the event log between and including the selected event and a final event have been examined (col. 10, lines 4-9).

14. As to claims 8-9, Lachelt teaches the final event is most recently logged event in the event log (col. 9, lines 20-22).

15. As to claims 10-12, Lachelt teaches following searching the event log starting at the selected event to find and report events of the specified type, a new watermark event including indications of the specified event type and specified requestor is inserted into the event log (col. 5, lines 16-18).

16. As to claim 13, Lachelt teaches the new watermark includes a relative offset of 0 (col. 8, lines 33-35).

17. As to claim 16, Lachelt teaches the event log is a table of entries, each entry representing a single logged event and containing a field that identifies the type of event represented by the entry (Fig. 4; col. 6, lines 15-25).

18. As to claim 17, Lachelt teaches a watermark event entry includes fields identifying the event represented by the entry as a watermark event and additional fields indicating a type of event to which the watermark is directed and an identifier of an event report requestor associated with the watermark (col. 5, lines 14-18).

19. As to claims 18-20, Lachelt teaches a watermark event includes a field containing a relative offset from the watermark entry to the location within the event log to begin a second search for events to report (col. 7, lines 8-15 and 20-23).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barbour et al. (U.S. Patent 3,984,817) in view of Knight et al. (U.S. Patent 5,745,693).

21. Barbour and Knight were cited in the first office action.



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22. As to claim 1, Barbour teaches the invention substantially as claimed including: a method for reporting events stored in an event log within an electronic device, the method comprising:

searching for a watermark event related to the specified event type and specified requestor (col. 2, lines 7-15 and lines 22-26; col. 4, lines 35-41);

when a related watermark event is found, using a value stored within the watermark to select an event at which to begin searching the entry table of the specified type to report to the specified requestor (col. 2, lines 22-26; col. 4, lines 40-41);

when a related watermark event is not found, selecting a default event at which to begin searching the entry table of the specified type to report to the specified requestor (col. 2, lines 29-32; col. 5, lines 15-18); and

searching the entry starting at the selected event to find and report events of the specified type (col. 4, lines 42-52).

23. Barbour do not explicitly teach that receiving a request for a report of event logs of a specified type from a specified requestor. However, Knight teaches that receiving a request for a report of event logs of a specified type from a specified requestor (col. 4, lines 21-51).

24. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching the Barbour and Knight because Knight's event logs would increase the flexibility of Knight's system by including the event log to

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provide a highly reliable system, which collects the events and later reporting for requestor.

25. As to claim 2, Barbour teaches searching for a watermark event related to the specified event type and specified requestor further includes:

selecting an event most recently logged in the entry table as a first event (col. 4, lines 48-50);

starting with the selected first event and preceding sequentially towards the least recently entry table, sequentially selecting each event as a candidate event (col. 2, lines 22-26; col. 4, lines 40-41);

when the selected candidate event is a watermark event with an event type field containing an indication of the specified event type and a requester field containing an indication of the specified requestor, returning the selected candidate watermark event as a positive search result (col. 9, lines 57-64); and

when the least recently logged event has been selected, and is not a watermark event with an event type field containing an indication of the specified event type and a requestor field containing an indication of the specified requestor, returning a negative search result (col. 2, lines 29-32; col. 5, lines 15-18). Barbour does not explicitly teach the event log. However, Knight teaches the event log (col. 4, lines 21-51).

26. As to claims 3-4, Barbour teaches the value stored within the watermark used to select an event at which to begin searching the entry table for events of the specified

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type to report to the specified requester is a relative offset from the watermark to the selected event at which to begin searching the event log (col. 3, lines 50-62; col. 4, lines 40-41). Barbour does not explicitly teach the event log. However, Knight teaches the event log (col. 4, lines 21-51).

27. As to claim 5, Barbour teaches the value stored within the watermark used to select an event at which to begin searching the entry table for events of the specified type to report to the specified requester is an address of the selected event (col. 3, lines 50-62). Barbour does not explicitly teach the event log. However, Knight teaches the event log (col. 4, lines 21-51).

28. As to claim 6, Babour teaches the default event at which to begin searching the entry is the first event in the entry table (col. 2, lines 29-32; col. 5, lines 15-18). Barbour does not explicitly teach the event log. However, Knight teaches the event log (col. 4, lines 21-51).

29. As to claim 7, Babour teaches searching the event log at the selected event to find and report events of the specified type further includes examining each event in the entry table, starting at the selected event, until either a specified number of events of the specified type are found or until all events in the entry table between and including the selected event and a final event have been examined (col. 2, lines 26-32). Barbour does not explicitly teach the event log. However, Knight teaches the event log (col. 4,

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lines 21-51).

30. As to claims 8-9, Babour teaches the final event is most recently event in the entry table (col. 4, lines 45-48). Barbour does not explicitly teach the event log.

However, Knight teaches the event log (col. 4, lines 21-51).

31. As to claims 10-12, Babour teaches following searching the entry table starting at the selected event to find and report events of the specified type, a new watermark event including indications of the specified event type and specified requestor is inserted into the entry table (102, Mask, Fig. 1). Barbour does not explicitly teach the event log. However, Knight teaches the event log (col. 4, lines 21-51).

32. As to claim 13, Babour teaches the new watermark includes a relative offset of 0 (col. 4, lines 9-15).

33. Claims 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barbour et al. (U.S. Patent 3,984,817) in view of Applicant Admitted Prior Art (AAPA).

34. As to claim 14, Barbour teaches the invention substantially as claimed including: an entry table stored within the memory component that sequentially stores events (col. 2, line 67 – col. 3, line 11); and

event reporting logic that stores a watermark event to note the extent of a first search for events to report to a specified event report requestor and that subsequently accesses the stored watermark event to identify a location within the entry table to begin a second search for events to report to the specified event report requestor (col. 3, lines 50-62).

35. Barbour does not explicitly teach the non-volatile memory component and the event log. However, AAPA teaches non-volatile memory component and an the event log (page 3, lines 10-11).

36. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Barbour and AAPA because AAPA's non-volatile memory component and an the event log would improve the flexibility of Barbour's system by providing non-volatile memory component and an the event log to improve event logging and reporting mechanisms within specialized network device (SND) to provide a more flexible and robust event reporting interface for use by SND administration.

37. As to claim 15, AAPA teaches the non-volatile memory component is selected from among a flash memory and electronic erasable programmable read-only memory (page 2, lines 7-11).

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38. As to claim 16, Lachelt teaches the entry table is a table of entries, each entry representing a single entry and containing a field that identifies the type of event represented by the entry (col. 4, lines 35-41). Barbour does not explicitly teach the event log. However, AAPA t teaches the event log (page 3, lines 10-11).

39. As to claim 17, Lachelt teaches a watermark event entry includes fields identifying the event represented by the entry as a watermark event and additional fields indicating a type of event to which the watermark is directed and an identifier of an event report requestor associated with the watermark (col. 4, lines 32-40).

40. As to claims 18-20, Lachelt teaches a watermark event includes a field containing a relative offset from the watermark entry to the location within the entry table to begin a second search for events to report (col. 3, lines 50-62; col. 4, lines 40-41).

### ***Response to the argument***

41. Applicant arguments filed on 7/22/05 had been considered but they are not persuasive. In the remarks applicant argued (1) " Lachelt does not disclose watermark events". (2) " Lachelt does not disclose a special event inserted into an event log to serve as a watermark event". (3) Barbour does not once mention events, event logging, event reporting".

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42. Examiner respectfully traverses Applicant's remarks:

As to point (1), Lachelt teaches Even Store Writer may generate stream log file for each stream that contain location in the event log file of each event that has left the stream in the order that it has left the stream (col. 6, lines 5-9). As an event enters the Postmaster Daemon and the entire event is appended to the event log file at an offset location "1" in the event log file (col. 6, line 64- col. 7, line 4).

As to point (2), Lachelt teaches writing to an event index file the location of the event in the event log file (col. 11, lines 5-6).

As to point (3) Barbour does not mention events, event logging, event reporting.

However, Knight teaches reporting and summarizing events, a system for collecting event data from the operator interface (col. 1, lines 9-12).

43. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Conclusion***

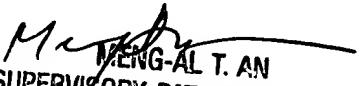
44. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Camquy Truong whose telephone number is (571) 272-3773. The examiner can normally be reached on 8:00Am – 5:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3756.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

Camquy Truong

September 15, 2005

  
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